

Thursday, December 30, 2010 - Albany, NY

Hon. Thomas J. McAvoy, Presiding

Clerk: MP

Steno: TC

LC: SE

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 1: 10-CR-321

RICHARD ENRIQUE ULLOA

APPEARANCES: AUSA Thomas Capezza for Govt; Richard Ulloa, Pro Se Deft w/ Standby Counsel AFPD Paul Evangelista & Eric Schlesinger, Esq. present

9:30 AM In court; outside presence of jury, jury question is spread upon the record.

9:35 AM Jury enters.

GOVT WITNESS

Mark Maroney

10:48 AM Government rests. Jury stands aside. Defendant, through stand-by counsel Evangelista makes Rule 29 motion; Government opposition heard - DENIED. Defense makes proffer re: witness Celauro.

DEFENSE WITNESS

Sal Celauro, Jr.

Court rules that Mr. Celauro will not be permitted to testify before the jury.

11:15 AM Short break.

11:29 AM In court; outside presence of jury, Court rules on evidentiary issues.

11:33 AM Jury enters. Defendant Richard Enrique Ulloa takes the stand.

12:20 PM Lunch recess to 1:00 PM

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1:00 PM	In court; jury present. Deft Ulloa's testimony continues.
1:35 PM	Defense rests. Jury stands aside. Rule 29 motions renewed - DENIED. No rebuttal evidence. Evidence now closed.
1:38 PM	Jury enters. Government begins closing argument.
2:20 PM	Short break.
2:31 PM	Jury enters. Defendant begins closing argument.
2:53 PM	Government begins rebuttal summation.
3:00 PM	Judge begins charge to jury.
3:53 PM	Charge concluded. Jury steps aside & commence deliberations.
4:55 PM	Court Exhibit 1 is marked. Parties are consulted.
5:03 PM	Jury enters and CE#1 is complied with.
5:45 PM	Jury reports verdict. Guilty on all 7 counts. Jury stands aside. Court gives post trial motion instruction. Sentencing is set for April 15, 2011 @ 9:30 AM in Albany, NY. Argument is heard concerning remand of defendant. Defendant is released under the same terms and conditions as originally set. Further, defendant is not to file any further liens, encumbrances, etc.
6:05 PM	Court stands adjourned.